

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CYRIL OGBONNA,

Plaintiff,

vs.

Case No. 02-CV-73702
HON. DENISE PAGE HOOD

THE CITY OF MT. CLEMENS, et al.,

Defendants.

ORDER GRANTING STAY OF DISBURSEMENT OF FUNDS IN PART (#119) AND
AND DENYING TRO AS MOOT (#120)

The court has reviewed Attorney Benjamin Whitfield's amended emergency motion (#119). Prior to this motion, it does not appear that Attorney Whitfield identified or presented the issue of costs to the court, and thus it appears that the prior ruling of the court in dispersing interpleader funds did not account for costs now owing, some of which are the subject of liens for court reporter fees. As of this motion, Attorney Whitfield has still failed to specifically itemize the costs asserted but estimates the total to be about \$2,000.00. Because Judge Hood intended to withhold from disbursement the sums in dispute between Mr. Ogbonna and his attorney and it appears that the arbiter of that dispute should have the opportunity to consider directing payment of costs, this court will grant a partial stay of disbursement until the question can be further addressed. The Order does not address the merits of the issues relating to the payment of costs. Accordingly,

Pending further Order of the Court,

Attorney Peter Peacock is hereby ORDERED to disperse the modified sums of \$14,709.47 to plaintiff Ogbonna on July 25, 2007 and deposit the remaining balance of \$10,354.73 into the court as Ordered by Judge Hood on July 20, 2007 (#118). All other

terms and conditions of Judge Hood's Order not inconsistent with this Order are confirmed.

The motion for TRO (#120) is hereby DENIED as MOOT.

Dated: July 20, 2007

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
July 20, 2007, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk